**§ 490.45 Criminal possession of a chemical weapon or biological weapon in the first degree.**

A person is guilty of criminal possession of a chemical weapon or biological weapon in the first degree when he or she possesses:

1. any select chemical agent, with intent to use such agent to:
(a) cause serious physical injury to, or the death of, another person; and
(b) (i) intimidate or coerce a civilian population;
(ii) influence the policy of a unit of government by intimidation or coercion; or
(iii) affect the conduct of a unit of government by murder, assassination, or kidnapping.

2. any select chemical agent, with intent to use such agent to cause serious physical injury to, or the death of, more than two other persons; or

3. any select biological agent, with intent to use such agent to cause serious physical injury to, or the death of, another person.

Criminal possession of a chemical weapon or biological weapon in the first degree is a class A-I felony.